

Message Text

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ORIGIN SCI-06

INFO OCT-01 ARA-16 ADP-00 CG-00 L-03 AID-20 CEQ-02 CIAE-00

COA-02 COME-00 DODE-00 EB-11 EPA-04 INR-10 IO-13

NSF-04 NSC-10 NSAE-00 PM-07 RSC-01 SS-15 FMC-04

TRSE-00 SCEM-02 INT-08 /139 R

DRAFTED BY COAST GUARD:CAPTAIN HALLBERG/SCI/EN:BLACKISTON

NPS, X-29266, 8-14-73

APPROVED BY SCI/EN:WDCOERR

L/OA - MR. CAMITA

L/EN - MR. MATHESON

CEQ - MR. HAYNE

ARA/MEX - MR. SHANKLE

EPA - MR. D. R. JONES

COAST GUARD - CAPTAIN WALLACE

SCI/EX - MR. PARDEE

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R 142208Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO

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E. O. 11652, N/A

TAGS: SENV, PBOR, MX

SUBJECT: PROPOSAL FOR DISCUSSIONS WITH MEXICANS ON OIL AND
HAZARDOUS SUBSTANCES CONTINGENCY PLANNING

REF: MEXICO 2501

1. FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972
CALLS ON DEPARTMENT TO UNDERTAKE NEGOTIATION OF INTER-
NATIONAL AGREEMENTS IN THE AREA OF WATER-POLLUTION ABATE-
MENT AND CONTROL. WHILE WORK IN THIS AREA IS PROCEEDING IN
THE UN SEABEDS COMMITTEE AND IN IMCO, THERE ARE NO PRESENT
PLANS FOR MULTILATERAL AGREEMENTS CONCERNING CONTINGENCY
PLANNING FOR ACCIDENTAL SPILLS OR OTHER DISCHARGES OF OIL

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OR HAZARDOUS SUBSTANCES. WE VIEW CONTINGENCY PLANS AS MORE

APPROPRIATE FOR BILATERAL AGREEMENTS BETWEEN NEIGHBORING STATES. AS EMBASSY AWARE, THE JOINT U. S. - CANADA CONTINGENCY PLAN FOR THE GREAT LAKES IS ALREADY IN EFFECT.

2. DEPARTMENT IS MINDFUL OF THE INCONCLUSIVE MEXICAN RESPONSE TO OUR EFFORTS, THUS FAR, TO ELICIT GOM INTEREST IN JOINT CONTINGENCY PLANS FOR OIL AND HAZARDOUS SUBSTANCES. HOWEVER, THIS MAY BE DUE TO A LACK OF MEXICAN APPRECIATION OF THE PARTICULAR ASPECT OF ENVIRONMENTAL PROTECTION WHICH THESE CONTINGENCY PLANS ADDRESS. CONTINGENCY PLANS DO NOT REPEAT NOT DEAL WITH WATER-QUALITY STANDARDS, DISCHARGE STANDARDS, OR REGULATIONS GOVERNING TRANSPORTATION, ETC., OF OIL AND HAZARDOUS SUBSTANCES. SUCH PLANS ESTABLISH

AGREED PRACTICAL COOPERATIVE MEASURES TO CLEAN UP SPILLS AND SIMILAR ACCIDENTAL DISCHARGES, AND WE BELIEVE IT IMPORTANT TO MAKE FURTHER EFFORT TO INTEREST GOM IN A JOINT CONTINGENCY-PLAN AGREEMENT.

3. THE TYPE OF INCIDENTS WHICH SUCH A PLAN WOULD COVER INCLUDE SPILLS FROM TANK TRUCKS OR RAILROAD CARS, PIPELINES, REFINERIES AND OTHER INDUSTRIAL FACILITIES EMPTYING INTO THE BORDER WATERS, AS WELL AS SPILLS FROM VESSELS AND OFFSHORE STRUCTURES.

4. EMBASSY IS REQUESTED TO RAISE ONCE MORE CONTINGENCY PLANNING MATTER AT APPROPRIATELY HIGH LEVEL OF GOM. YOU SHOULD STATE THAT USG PREPARED TO SEND TEAM OF EXPERTS - COAST GUARD, EPA, AND STATE - TO DISCUSS WITH MEXICANS DESIRABILITY OF SUCH AN AGREEMENT AND TYPE OF ARRANGEMENT WE HAVE IN MIND. IF MEXICAN REACTION TO U. S. TEAM'S VISIT FAVORABLE, PLEASE ADVISE ACCEPTABLE TIMING. WE HOPE MEETING CAN BE ARRANGED FOR MID-NOVEMBER AS PREVIOUS COMMITMENTS OF POTENTIAL U. S. PARTICIPANTS PREVENT EARLIER DATE. EXISTING 1936 SALVAGE TREATY AND 1968 DISASTER ASSISTANCE AGREEMENT, AS AMENDED IN 1972, ARE GENERAL PRECEDENTS FOR THE KIND OF COOPERATIVE ARRANGEMENTS WHICH WE HAVE IN MIND ALTHOUGH CONTINGENCY PLANNING REQUIRES A MORE COMPREHENSIVE APPROACH. ROGERS
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